



CITY OF MIAMI SPRINGS, FLORIDA

CITY CLERK'S SUMMARY OF COUNCIL ACTIONS Regular Meeting of Monday, February 12, 2007 - 7:00 p.m. – Council Chambers

AGENDA ITEM NUMBER AND SUBJECT

1. Call to Order/Roll Call

All present (Vice Mayor Youngs arrived at 7:01 p.m.)

2. Invocation/Salute to the Flag: Councilman Dotson/The audience participated.

3. Awards & Presentations:

- 3A) Annual Golf Course Turf Review

Tabled.

- 3B) Certificate of Sincere Appreciation to Frank and Yvonne Shonberger for their Efforts to Save the Miami Springs Historical Museum

Mayor Bain **presented** a plaque to Frank and Yvonne Shonberger with sincere appreciation for their efforts to save and renovate the Miami Springs Historical Museum.

- 3C) Request for Donation to Miami Springs Senior High School Math Honor Society

Tabled.

- 3D) Proclamation Honoring Glenn H. Curtiss as “The Fastest Man Alive” in the 100th Anniversary of Racing his V-8 Powered Motorcycle

Mayor Bain **proclaimed** February 12, 2007 to be “Glenn Curtiss, ‘The Fastest Man Alive’ Day”.

4. Open Forum:

- Miami Springs Senior High School Girls Softball Team Dennis Hubbard Requested assistance from the City to send the team to a State tournament in Jupiter, Florida during the Spring Break.

5. Approval of Council Minutes: (simultaneously approved)

5A) 01/17/2007 – Workshop Meeting

Approved as written.

Motion: Councilman Best

Second: Vice Mayor Youngs

Vote: 5-0

5B) 01/22/2007 – Regular Meeting

Approved as written.

Motion: Councilman Best

Second: Vice Mayor Youngs

Vote: 5-0

6. Reports from Boards & Commissions:

6A) 01/10/2007 – Golf and Country Club Advisory Board – Minutes

6B) 01/16/2007 – Education Advisory Board – Minutes

6C) 01/18/2007 – Historic Preservation Board – Minutes

6D) 01/23/2007 – Ecology Board – Minutes

6E) 01/25/2007 – Code Review Board – Cancellation Notice

6F) 02/06/2007 – Code Enforcement Board – Cancellation Notice

6G) 02/05/2007 – Zoning and Planning Board – Cancellation Notice

6H) 02/14/2006 – Golf and Country Club Advisory Board – Cancellation Notice

Agenda Items 6A through 6H were **received for information without comment**.

6I) 02/05/2007 – Memorial Committee – Minutes

Minutes of the February 5, 2007 Memorial Committee meeting were received for information.

Mayor Bain stated that the minutes indicate that the members are not sure about the request to honor former Recreation Director Ray Stoltz for his service to the City and his involvement with the Optimist Club. He offered to address the Committee at the next meeting in March to answer any questions they may have.

6J) 02/05/2007 – Board of Adjustment – Approval of Actions Taken at their Meeting of February 5, 2007, Subject to the 10-day Appeal Period

Council **approved** the actions of the Board of Adjustment, **subject** to the 10-day appeal period.

Motion: Councilman Garcia

Second: Councilman Best

Vote: 5-0

Council discussed Agenda Item 11A at this time and **scheduled** a Board of Appeals meeting for Monday, February 26, 2007 at 7:00 p.m.

7. Public Hearings:

7A) Public Hearing – Second Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Creating New Code of Ordinance Section 96-09, Removal of Animal Feces; by Establishing a Duty to Properly Dispose of Animal Fecal Matter; Providing Applicability to Public and Private Property Areas; Describing Compliance with Disposal Requirements; Establishing an Exception; Providing for Enforcement of Ordinance; Repealing all Ordinances or Parts of Ordinances in Conflict; Directions to Codifiers; Effective Date (First Reading: 1/22/2007 – Advertised: 2/1/2007)

Adopted Ordinance No. 949-2007.

Motion: Councilman Best

Second: Vice Mayor Youngs

Vote: 5-0

Agenda Item 10C (Companion Resolution) discussed at this time

7B) Public Hearing – Second Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 71-04, Keeping Inoperable Vehicles in Certain Areas Prohibited; by Providing Revised, Updated and Clarified Language of the Prohibited Activities; Establishing an Exception Provision; Providing for Enforcement of the Ordinance; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 1/22/2007 – Advertised: 2/1/2007)

Adopted Ordinance No. 950-2007.

Motion: Councilman Dotson

Second: Vice Mayor Youngs

Vice Mayor Youngs: “aye”

Councilman Best: “aye”

Councilman Dotson: “aye”

Councilman Garcia: “absent at roll call”

Mayor Bain: “aye”

Vote: 4-0

7C) Public Hearing – Second Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Creating New Code of Ordinance Section 95-02, Parks and Recreation Facilities – Hours of Operation; by Providing Usage Regulations for City Parks, the Golf Course and Clubhouse, and Other Recreational Facilities; Delineating Exception Provisions; Establishing City Manager Authority; Authorizing Appropriate Signage; Providing for Enforcement; Repealing all Ordinances or Parts of Ordinance in Conflict; Directions to Codifiers; Effective Date (First Reading: 1/22/2007 – Advertised: 2/1/2007)

Adopted Ordinance No. 951-2007.

Motion: Councilman Best

Second: Vice Mayor Youngs

Vice Mayor Youngs: “aye”

Councilman Best: “aye”

Councilman Dotson: “aye”

Councilman Garcia: “absent at roll call”

Mayor Bain: “aye”

Vote: 4-0

Agenda Item 10D (Companion Resolution) discussed at this time

8. Consent Agenda: (simultaneously approved)

8A) Approval of the City Attorney's Invoice for January 2007 in the Amount of \$9,526.00

Approved.

Motion: Vice Mayor Youngs

Second: Councilman Best

Vote: 5-0

8B) Recommendation that Council Approve an Expenditure of \$100,692.00 to Garber Chevrolet, Buick, Pontiac & GMC Trucks, Inc. for the Purchase of Two Chevrolet Impala Administrative Vehicles and Four Chevrolet Administrative Vehicles, Utilizing Section 31.11 (E) (5) of the City Code, and an Expenditure of \$7,700.00 to Various Vendors for the Purchase of Emergency Radio Equipment and Installation for the Vehicles, Utilizing Section 31.11 (C) (1) of the City Code, to be Paid out of the Law Enforcement Trust Fund

Approved.

Motion: Vice Mayor Youngs

Second: Councilman Best

Vote: 5-0

8C) Approval of Contract Between Miami-Dade County and the City of Miami Springs Providing for the Rendition of Water Service

Approved.

Motion: Vice Mayor Youngs

Second: Councilman Best

Vote: 5-0

8D) Approval of Lease Agreement Between the City of Miami Springs and Miami-Dade County

Approved.

Motion: Vice Mayor Youngs

Second: Councilman Best

Vote: 5-0

9. Old Business:

9A) Appointment to the Ecology Board by Mayor Bain for a Full 3-Year Term Ending on April 30, 2009 (Joe Podgor's seat)

Deferred.

9B) Appointment to the Ecology Board by Vice Mayor Youngs (Group IV) for an Unexpired Term Ending on April 30, 2007 Created by the Resignation of Donna Dawson

Deferred (Vice Mayor Youngs was absent from the Chambers at this time).

9C) Appointment to the Code Enforcement Board by Vice Mayor Youngs (Group IV) to Fill an Unexpired Term Ending on September 30, 2007 Created by Three Absences of Erik Michelson

Deferred (Vice Mayor Youngs was absent from the Chambers at this time).

9D) "Fourth" First Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-041, R-1A District; 150.042, R-1B District; 150.043, R-1C District, and 150-044, R-1D District, to Provide a New Building Height Exception, Lot Coverage Restriction, and Side Yard Requirements for Two-story Structures; Repealing all Ordinances or Parts of Ordinances in Conflict; Providing an Effective Date (First Reading: 11/13/2006 – "Second" First Reading: 11/28/2006 – "Third" First Reading: 12/11/2006)

Council discussed the ordinance, agreed on other changes. To be scheduled for a "fifth" first reading at the next meeting.

Mayor Bain asked for a 5-minute recess at 8:55 p.m.

9E) First Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150.010, Roof Materials, Requirements and Re-Roofs; by Eliminating the Need for Board of Adjustment Approval; Substituting the Approval Authority of the Planning and Building Departments; Delineating a Dispute Resolution Process for Further Application Review; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date

Approved on first reading.

Motion: Vice Mayor Youngs

Second: Councilman Dotson

Vote: 5-0

9F) First Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-034, Installation of Central Air Conditioning and Heating Units; by Including Pool Pumps and Equipment and Sprinkler Pumps and Equipment Within the Provisions of the Ordinance; Providing a New Screening Requirement for Equipment in Side Yard Area Adjacent to Streets; Delineating a New Distance Requirement for Equipment Located in Side Yard Areas Adjacent to Streets; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date

Approved on first reading.

Motion: Councilman Best

Second: Vice Mayor Youngs

Vote: 5-0

9G) Consideration of Needs Assessment Survey for the Recreation Department Utilizing the Coral Gables Contract with MLL, Inc.

Approved. The Administration was directed to try to get all households in the City surveyed.

Motion: Councilman Garcia

Second: Vice Mayor Youngs

Vote: 5-0

10. New Business:

10A) Appointment to the Civil Service Board by Councilman Garcia (Group III) to Fill an Unexpired Term Ending on June 30, 2009

Deferred.

10B) Recommendation that Council Approve the Renewal of Bid No. 01/04/05 with Salman Landscape Services and Waive the Competitive Bid Process as Provided in Section 31.11 (E) (6) (g) of the Code and Approve an Expenditure of \$19,290.00 for Tree Planting

Approved.

Motion: Councilman Best

Second: Vice Mayor Youngs

Vice Mayor Youngs: “aye”

Councilman Best: “aye”

Councilman Dotson: “no”

Councilman Garcia: “aye”

Mayor Bain: “aye”

Vote: 4-1

Agenda Item 10C discussed after 7A.

10C) Resolution – A Resolution of the City Council of the City of Miami Springs Amending the Appendix of Civil Infraction Code Sections and Civil Penalties for Violations Appended to, and Made a Part of, Code of Ordinance Section 101-01, Supplemental Code Enforcement Citation System; Directions to Codifiers; Effective Date (*This resolution supplements Agenda Item No.7A – Animal Feces: §96.09*)

Adopted (as amended) Resolution No. 2007-3346.

Motion: Vice Mayor Youngs

Second: Councilman Dotson

Vote: 5-0

Agenda Item 10D discussed after 7C.

10D) Resolution – A Resolution of the City Council of the City of Miami Springs Amending the Appendix of Civil Infraction Code Sections and Civil Penalties for Violations Appended to, and Made a Part of, Code of Ordinance Section 101-01, Supplemental Code Enforcement Citation System; Directions to Codifiers; Effective Date (*This resolution supplements Agenda Item No.7C – Hours of Operation: §95.02*)

Adopted Resolution No. 2007-3347.

Motion: Vice Mayor Youngs

Second: Councilman Best

Vice Mayor Youngs: “aye”

Councilman Best: “aye”

Councilman Dotson: “aye”

Councilman Garcia: “absent at roll call”

Mayor Bain: “aye”

Vote: 4-0

10E) Appointment to the Ecology Board by Councilman Dotson (Group II) for an Unexpired Term Ending on April 30, 2008 Created by the Resignation of Maria Mikluscak

Deferred.

10F) Appointment to the Recreation Commission by Mayor Bain for an Unexpired Term Ending on April 30, 2007, Created by Three Absences of Roger Del Rio

Deferred.

10G) Consideration of Request from the Miami Springs General Employees Retirement Pension Board to Change the Calculation of “Final Average Salary (FAS)” from the Current Five Years to Three Years

Council **considered** this request from the Pension Board and **decided to wait** until budget time to make a decision. Council **asked for a survey** of the calculation other cities use for final average salary.

10H) Recommendation that Council Authorize the Administration to Negotiate a Contract with R. J. Heisenbottle Architects in Order to Complete the Construction Documents for the Historical Reconstruction of the Curtiss Mansion

Council **authorized** the Administration to negotiate with R. J. Heisenbottle Architects. A contract will be submitted to Council for approval at a future meeting.

Motion: Councilman Best

Second: Councilman Dotson

Vote: 5-0

10I) Recommendation that Council Approve the Replacement of the Recreation Center School Bus and Van

Approved.

Motion: Councilman Garcia

Second: Councilman Best

Vice Mayor Youngs: “absent at roll call”

Councilman Best: “aye”

Councilman Dotson: “aye”

Councilman Garcia: “aye”

Mayor Bain: “aye”

Vote: 4-0

Council **requested** that an agenda item be scheduled at the next meeting to discuss safety and security issues at the Recreation Center.

11. Other Business:

11A) Scheduling of Board of Appeals Meeting to Hear Board of Adjustment Case No. 05-V-07, 33 Corydon Drive

Council discussed this item after Agenda Item 6J and **scheduled** a Board of Appeals meeting for Monday, February 2, 2007 at 7:00 p.m.

11B) First Quarter Golf Course Financials

Council **received** the First Quarter Golf Course Financials.

12. Reports & Recommendations:

12A) City Attorney: None.

12B) City Manager

- City Manager's Update Referred to his bi-weekly update and asked for direction as to whether or not it meets Council's requirements, if it contains too much or too little information.

Councilman Dotson stated that he likes the information, especially on important projects, and there is nothing he would want to eliminate.

- Fair Havens Noise Problem Distributed a letter that he stated had been sent to the homes in the neighborhood as a door hanger so that everyone is kept up to speed on what is happening with the noise problem and the new noise that occurred with the refrigerated truck.

- Park Restrooms Reported that the boring tests would be conducted in both locations in order to make sure that the ground will support the construction of the restrooms in both locations. He estimated the groundbreaking will take place in about 30 days.

- Architectural Review Board Reminded Council that this Board needs direction from them in order to begin functioning. The City Attorney will advise the members and present information about the Sunshine Law.

Councilman Dotson would like the Board to hold an organizational meeting and listen to the City Attorney's presentation.

The City Attorney said that in addition to the Sunshine Law, he would review with the Board members the ordinance that outlines the Board's duties and responsibilities.

The City Manager suggested calling the Board members to find out what would be a good evening to meet.

12C) City Council

Councilman Best:

- Daughters of the American Revolution

Reported that he attended an event on Saturday, February 10th in honor of their 55th anniversary, which was a very interesting opportunity that he enjoyed.

Councilman Dotson:

- Golf Balls Safety Concerns

Reported that he responded to a call from residents on Hunting Lodge Drive who have been bombarded with golf balls. This poses a problem.

The City Manager is aware of the problem, has offered solutions, but the solution also met with complaints because residents claimed that the areca palms would obstruct the view of the golf course.

The City Attorney said the City is not liable because the Golf Course existed before the houses were built. He would ask the property owners to sign an agreement to release the City from any liability after planting the trees. He will prepare a document for the homeowners to sign.

Councilman Garcia:

- Curtiss Parkway Lighting

Asked the City Manager to follow up with the Florida Department of Transportation regarding the lights on Curtiss Parkway.

The City Manager reported that according to the Annual Report from FDOT, the City is scheduled for funding in the 2008 budget. He will ask if the City were to advance the funding for the project if the funds could be reimbursed as they become available.

- Baseball Registration

Announced that Little League Baseball registration is taking place at the Recreation Center.

Councilman Garcia: (Continued)

- Golf Tournament

Attended the Miami Springs Senior High School Football Golf Tournament at the Country Club and the support was overwhelming. He complimented Golf Director Mike Aldridge and Carlos Santana for their outstanding service to the golfers, as well as the High School representatives for organizing a successful tournament.

Vice Mayor Youngs:

- Attendance Boundary Committee (ABC)

Reported that he spoke with representatives at the Region 3 office about the ABC Plan and the meetings for the county-wide committee begin on Tuesday, February 13th and will extend through Thursday. He will take vacation days from work in order to attend the meetings. It looks like the boundaries are not facing much opposition and it seems to be a plan that he can support.

The City Manager reported that he attended a planning meeting with elected officials and School Superintendent Dr. Rudolph Crew. Some cities are signing an agreement with the School Board and he has heard that cities that have entered into these agreements seem to be getting some type of preferential treatment. He will receive additional information that will be presented to Council for consideration.

Mayor Bain:

- Request from Hialeah Gardens

Reported that the Mayor of Hialeah Gardens is requesting a letter of support for naming two new schools in their City after Hialeah Gardens. He will prepare a letter of support.

- Resolution

Stated that a resolution to be sent to the State was proposed during the Mayors' meeting in regard to higher taxes and lower millage rates. He will provide the information to the City Attorney.

Mayor Bain: (Continued)

- Shuttle Bus

Reported that he and City Manager Borgmann met with Hialeah Mayor Julio Robaina regarding a proposal for the City bus shuttle and incorporating service with the City of Hialeah bus route as there might be a possibility to extend the service within the City of Miami Springs, Virginia Gardens and Medley.

The City Manager stated that the City of Hialeah had given the City a quote before and at that time the difference between the City buying a system and doing all the maintenance was \$12,000-\$15,000 less than Hialeah's estimate at that time, according to the Corradino study. They will recalculate those numbers and he will put the results together with the information he is expecting to get from Miami Shores and Palmetto Bay who contract with a limousine service.

- USS Gridley

Reported that he attended the commissioning ceremony for the USS Gridley war ship and presented a proclamation that will be on board for the life of the ship. It is the first commissioned ship at the Port of Miami and it was a thrill to be there.

The City Manager reminded everyone of the Daddy/Daughter Dinner Dance on Saturday, February 24, 2007 at the Country Club and to contact the Recreation Center for tickets.

13. Adjourn.

Adjourned at 10:38 p.m.